

DS

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

JUDGE MANNING

MAGISTRATE JUDGE MASON

UNITED STATES OF AMERICA)
)
 v.)
)
TIMOTHY M. FUNCHES and)
ANDREW JOINSON)
)

No. 08 CR 654
Violation: Title 18, United States Code,
Sections 1951 (a) and 2.

DS
FILED
09-24-08
SEP 24 2008

COUNT ONE

The SPECIAL SEPTEMBER 2008 GRAND JURY charges:

MICHAEL W. DOBBINS
CLERK, U.S. DISTRICT COURT

On or about September 30, 2005, at Oak Lawn, in the Northern District of Illinois,

Eastern Division,

TIMOTHY M. FUNCHES, and
ANDREW JOHNSON,

defendants herein, did commit a robbery which obstructed, delayed, and affected commerce, as "robbery" and "commerce" are defined in Title 18, United States Code, Section 1951, in that defendants FUNCHES and JOHNSON, by means of actual and threatened force and violence, took from the person and presence of a United Armored Services employee two ATM money cartridges containing a total of approximately \$14,000 in United States currency in the custody, control and possession of United Armored Services;

In violation of Title 18, United States Code, Sections 1951(a) and 2.

FORFEITURE ALLEGATION

1. The allegations contained in Count One of this Indictment are realleged and incorporated herein by reference for the purpose of alleging forfeiture pursuant to Title 18, United States Code, Section 981(a)(1)(C) and Title 28, United States Code, Section 2461.

2. As a result of their violation of Title 18, United States Code, Section 1951(a) and 2, as alleged in Count One of the foregoing Indictment,

TIMOTHY M. FUNCHES, and
ANDREW JOHNSON,

defendants herein, shall forfeit to the United States, pursuant to Title 18, United States Code, Section 981(a)(1)(C) and Title 28, United States Code, Section 2461, any and all right, title, and interest they may have in any property, real and personal, which constitutes and is derived from proceeds traceable to the charged offenses.

3. The interests of the defendants jointly and severally subject to forfeiture, pursuant to Title 18, United States Code, Section 981(a)(1)(C) and Title 28, United States Code, Section 2461 is:

\$14,000 in United States currency.

4. If any of the property subject to forfeiture and described in paragraph 3 above, as a result of any act or omission of the defendant:

- (a) Cannot be located upon the exercise of due diligence;
- (b) Has been transferred or sold to, or deposited with, a third party;
- (c) Has been placed beyond the jurisdiction of the Court;
- (d) Has been substantially diminished in value; or
- (e) Has been commingled with other property which cannot be divided without difficulty,

the United States shall be entitled to forfeiture of substitute property under the provisions of Title 21, United States Code, Section 853 (p), as incorporated by Title 28, United States Code, Section 2461(c)

All pursuant to Title 18, United States Code, Section 981(a)(1)(C) and Title 28, United States Code, Section 2461 (c).

FOREPERSON

UNITED STATES ATTORNEY